

United States Senate

COMMITTEES:

BANKING, HOUSING, AND
URBAN AFFAIRS

COMMERCE, SCIENCE, AND
TRANSPORTATION

ENVIRONMENT AND PUBLIC WORKS

July 11, 2023

The Honorable Pete Buttigieg
Secretary of Transportation
U.S. Department of Transportation
1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

Re: Application of SkyWest Charter, LLC (Docket DOT-OST-2022-0071)

Dear Secretary Buttigieg:

I write to express my concerns with the delay in the U.S. Department of Transportation's (DOT) decision on SkyWest Charter's (SWC) application for a Commuter Air Carrier Authorization. SWC's application has been pending before DOT for over a year. This delay has caused tremendous uncertainty and is poised to create operational challenges for SWC and SkyWest.

Approval of this application could provide much needed relief for air service in rural communities like those I represent in Wyoming. Reliable and safe air transportation is critical to Wyoming's economy for a variety of reasons, including to attract visitors and businesses. Reliable air service is also often needed to allow residents of remote areas to access necessary medical services.

Unfortunately, small airports around the country have been losing service as carriers struggle with an acute lack of pilots, particularly captains. Wyoming has not been immune to these air service cuts with reductions impacting 8 of our 9 rural commercial service airports. And it is likely that those difficult trends will only worsen in the coming years without significant regulatory reforms from Congress or a shift in how DOT approaches the issues surrounding providing safe, affordable, and reliable air service in Wyoming and other rural areas.

The proposal by SWC represents an opportunity to ensure right-sized aircraft are utilized in communities with less demand, which in turn frees up regular Federal Aviation Administration (FAA) Part 121 operations to be utilized in Wyoming's regional communities that demand more seats. Enabling SWC to utilize well-established programs which enjoy bipartisan support, such as commuter air carriers offering flights under FAA Part 135 and DOT Part 380, could ensure that underserved and rural communities across the country maintain and potentially improve their access to air transportation.

SWC applied for commuter authority on June 17, 2022, yet DOT has failed to act on its application. However, other commuter carriers continuously operate the same type of service with similar aircraft as proposed by SWC, using airports in various parts of the country. SWC also has committed to exceeding the baseline safety standards required to operate under Part 135.¹ What is more alarming is that both the Airline Pilots Association and the Association of Flight Attendants-CWA

¹ Application of SkyWest Charter Holdings LLC for a Commuter Air Carrier Authorization, Comments of SkyWest, <https://www.regulations.gov/document/DOT-OST-2022-0071-0018>

are raising safety concerns over this application despite the commitment from SWC that it will far exceed the safety requirements of Part 135.² I sincerely hope that these delay tactics are not the sole reason for the delay in action on SWC's application.

I appreciate your attention to this urgent matter, and I request a response by July 25, 2023, to the following questions:

- What has caused the delay in addressing SWC's application for Commuter Air Carrier Authorization?
- Is DOT missing information from SWC needed to fully process the application?
- Are there other examples of other Part 135 operators who waited for over a year before receiving approval from DOT?

Should you have any questions or need additional information, please contact Holt Edwards, my Senior Policy Advisor, at holt_edwards@lummis.senate.gov or 202-228-5128.

Sincerely,

A handwritten signature in blue ink that reads "Cynthia M. Lummis". The signature is fluid and cursive, with the first name "Cynthia" being the most prominent part.

Cynthia M. Lummis
U.S. Senator

² Russell, Edward. 2023. "SkyWest in Fight with Labor Unions over Future of Air Service to Small Cities." Airline Weekly. June 14, 2023. <https://airlineweekly.com/2023/06/skywest-in-fight-with-labor-unions-over-future-of-air-service-to-small-cities/>.